THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.1909 of 2007

Between:

C.V.S.Dwarakanath and others.

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PETITIONERS

and

The Additional Director General of Police,
C.B.C.I.D., and others.

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RESPONDENTS

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ORDER:

This writ petition has been filed declaring inaction on the part of the 1st respondent in submitting report of the investigation to the 2nd respondent, relating to the genuineness of the instructions issued under Nicnet Message No.15326/H2/95, dated 14-08-1995.

It is the case of the petitioners that they have been appointed as Lab-Attendants in the year 1995, though there are clear vacancies available for the posts of Lab-Technicians.

It is stated that the petitioners are qualified and entitled to be appointed as Lab-Technicians, but erroneously they have been appointed as Lab-Attendants.

It is further stated that the Government vide its Memo, dated 23-12-2005, rejected to appoint the petitioners as Lab-Technicians, on the ground that the Nicnet Message received is only for recruitment of Lab-Attendants, as no candidates are available to appoint as Lab-Technicians.

It is further stated that the instructions received under Nicnet Message is incorrect. Further, with regard to the genuineness of the said instructions, the C.B.C.I.D., Hyderabad, registered a case in Cr.No.13 of 2002 for the offences under Sections 420, 463, 464 and 469 IPC and the investigation is still pending.

It is further stated they have made representation, dated 23-09-2006, before the 2nd respondent to upgrade the post of Lab-Attendant to Lab-Technician, by fixing proper scale as applicable to the post of Lab Technician.

As the investigation is still pending on the file of C.B.C.I.D., Hyderabad, without expressing any opinion as to the merits of the case, I am of the opinion that it is just and proper to direct to the 1st respondent to

expedite the investigation and submit appropriate report to the 2nd respondent.

Accordingly, the writ petition is disposed of directing the 1st respondent to expedite the investigation and submit appropriate report to the 2nd respondent, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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23-03-2007

Prv